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United States Bankruptcy Court Eastern District of Pennsylvania

In re: Case No. 22-13270-elf

Gerald Miller Chapter 13

Debtor

CERTIFICATE OF NOTICE

District/off: 0313-2 User: admin Page 1 of 2
Date Rcvd: Jan 20, 2023 Form ID: pdf900 Total Noticed: 3

The following symbols are used throughout this certificate:

Symbol Definition

Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS

regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Jan 22, 2023:

Recipi ID Recipient Name and Address

db + Gerald Miller, 8105 Large Street, Philadelphia, PA 19152-2709

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.

Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI). Electronic transmission is in Eastern Standard Time.

Recip ID smg	Notice Type: Email Address Email/Text: megan.harper@phila.gov	Date/Time	Recipient Name and Address
C		Jan 21 2023 00:12:00	City of Philadelphia, City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor, Philadelphia, PA 19102-1595
smg	Email/Text: RVSVCBICNOTICE1@state.pa.us	Jan 21 2023 00:12:00	Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946

TOTAL: 2

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Gustava Winters, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Jan 22, 2023 Signature: /s/Gustava Winters

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on January 20, 2023 at the address(es) listed below:

Name Email Address

BRAD J. SADEK

on behalf of Debtor Gerald Miller brad@sadeklaw.com

 $brads a dek@\,gmail.com; sadek.bradj.r101013@\,notify.best case.com; documents@\,sadeklaw.com, do$

KENNETH E. WEST

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ecfemails@ph13trustee.com philaecf@gmail.com

MICHAEL PATRICK FARRINGTON

on behalf of Creditor LAKEVIEW LOAN SERVICING LLC mfarrington@kmllawgroup.com

United States Trustee

USTPRegion03.PH.ECF@usdoj.gov

TOTAL: 4

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UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF PENNSYLVANIA

IN RE: GERALD MILLER, : Chapter

:

Debtor : **Bky. No. 22-13270 ELF**

<u>ORDER</u>

AND NOW, the Debtor having filed the above bankruptcy case in this court on **December 6, 2022**;

AND, this case being subject to dismissal due to the Debtor's failure to file required documents within the time prescribed by the rules of court;

AND, the Debtor having recently filed a prior bankruptcy case in this court on July 11, 2022, docketed at Bky. No. 22-11821 ("the Prior Case");

AND, the Prior Case also having been dismissed by the court on August 10, 2022 due to the Debtor's failure to file required documents within the time prescribed by the rules of court;

AND, a third case, **Bky. No. 20-10728**, also having been filed an dismissed for failure to file required documents (filed **February 4, 2020**, dismissed **March 10, 2020**);

AND, the Debtor having been represented by the same attorney in all three (3) cases

AND, as a result of the foregoing history, it appearing that the Debtor may have filed this more recent bankruptcy case in bad faith, possibly with the aid of his attorney;

It is therefore **ORDERED** that:

- 1. The above bankruptcy case is **DISMISSED**.
- 2. The court retains jurisdiction in this case and a hearing is scheduled on **January 31, 2023**, at 12:00 noon by video conference, at which time the court will consider
 - a. whether an Order should be entered **RESTRICTING** the **Debtor's** right to file future bankruptcy cases; and
 - b. the reasonableness of the compensation received by Debtor's counsel or the propriety of other sanctions
- 3. Pending the conclusion of the above hearing, the Debtor is **PROHIBITED** from filing any future bankruptcy case without prior court permission.
- 4. In the event that the Debtor attempts to file a bankruptcy case in violation of this order, THE

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CLERK IS INSTRUCTED NOT TO DOCKET THE BANKRUPTCY PETITION, but instead to deliver the papers immediately to the assigned bankruptcy judge for appropriate action. The Debtor's counsel SHALL ATTEND the hearing.

5 If not already filed, the Debtor's counsel **SHALL FILE** the statement required by Fed. R. Bankr. P. 2016(b) **on or before January 26, 2023**.

Date: January 20, 2023

ERIC L. FRANK

U.S. BANKRUPTCY JUDGE

cc: Gerald Miller 8105 Large Street Philadelphia, PA 19152